

Nos. 22-1972, 22-1973, 22-1975, 22-1976

**United States Court of Appeals
for the Federal Circuit**

MASIMO CORPORATION,

Appellant,

v.

APPLE INC.,

Appellee.

APPEAL FROM THE UNITED STATES PATENT AND TRADEMARK OFFICE,
PATENT TRIAL AND APPEAL BOARD IN NOS. IPR2020-01713, IPR2020-01716,
IPR2020-01733, IPR2020-01737

**APPLE'S NON-OPPOSITION RESPONSE TO MASIMO'S MOTION TO
SUSPEND REQUIREMENTS TO FILE ADDENDUM**

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December 13, 2022

Attorneys for Appellee Apple Inc.

CERTIFICATE OF INTEREST

Counsel for Appellee Apple Inc. (“Apple”) certifies the following:

1. Provide the full names of all entities represented by undersigned counsel in this case.

Apple Inc.

2. Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities.

Apple Inc.

3. Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities.

None

4. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

**Fish & Richardson P.C.: Andrew B. Patrick, Usman Khan,
Hyun Jin In, Daniel D. Smith, Robert J. Devoto**

5. Provide the case titles and numbers of any case known to be pending in this court or any other court or agency that will directly affect or be directly affected by this court’s decision in the pending appeal. Do not include the originating case number(s) for this case. Fed. Cir. R. 47.4(a)(5). See also Fed. Cir. R. 47.5(b).

***Masimo Corporation, et al. v. Apple Inc.,*
Case No. 8:20-cv-00048 (C.D. Cal.)**

***Certain Light-Based Physiological Measurement Devices and Components
Thereof*
Case No. 337-TA-1276 (ITC)**

***Masimo Corp. v. Apple Inc.,*
Case Nos. 22-1631, -1632, -1633, -1634, -1635, -1636, -1637, -1638
(Fed. Cir.)**

Masimo Corporation v. Apple Inc.

Case Nos. 22-2069, -2070, -2071, -2072 (Fed. Cir.)

6. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

None

December 13, 2022

/s/ Ashley Bolt

Ashley Bolt

Appellee Apple Inc. hereby submits its response to Appellant Masimo Corporation's Motion to Suspend Requirement to File Addendum. Apple does not oppose and will not file any further response.

Dated: December 13, 2022

Respectfully submitted,

/s/ Ashley Bolt

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CERTIFICATE OF SERVICE AND FILING

I certify that on December 13, 2022, I electronically filed the foregoing **NON-OPPOSITION RESPONSE TO MASIMO’S MOTION TO SUSPEND REQUIREMENTS TO FILE ADDENDUM** of Appellee Apple Inc. using the Court’s CM/ECF filing system. Counsel for appellant were electronically served by and through the Court’s CM/ECF filing system per Fed. R. App. P. 25 and Fed. Cir. R. 25(e).

/s/ Ashley Bolt

Ashley Bolt

CERTIFICATE OF COMPLIANCE

I certify that this response complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2)(B). The document contains 35 words, excluding the parts of the motion authorized by Fed. R. App. P. 27(a)(2)(B). This document has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in Times New Roman, 14 Point.

Dated: December 13, 2022

/s/ Ashley Bolt
Ashley Bolt